

Bird Conservation Account", which shall consist of amounts deposited into the Account by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE ACCOUNT.—The Secretary of the Treasury shall deposit into the Account—

(1) all amounts received by the Secretary in the form of donations under subsection (d); and

(2) other amounts appropriated to the Account.

(c) USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use amounts in the Account, without further Act of appropriation, to carry out this Act.

(2) ADMINISTRATIVE EXPENSES.—Of amounts in the Account available for each fiscal year, the Secretary may expend not more than 6 percent to pay the administrative expenses necessary to carry out this Act.

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to carry out this Act. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Account.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Account to carry out this Act \$8,000,000 for each of fiscal years 1999 through 2002, to remain available until expended, of which not less than 50 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

RHINOCEROS AND TIGER CONSERVATION ACT OF 1998

CHAFEE AMENDMENT NO. 3797

Mr. JEFFORDS (for Mr. CHAFEE) proposed an amendment to the bill (S. 361) to amend the Endangered Species Act of 1973 to prohibit the sale, import, and export of products labeled as containing endangered species, and for other purposes; as follows:

On page 5, line 23, insert "or advertised" after "labeled".

On page 6, line 4, insert ", or labeled or advertised as containing," after "containing".

On page 6, line 9, insert ", or labeled or advertised as containing," after "containing".

On page 7, line 20, insert "**OR ADVERTISED**" after "**LABELED**".

On page 8, line 2, insert "**OR ADVERTISED**" after "**LABELED**".

On page 10, line 17, insert "**OR ADVERTISED**" after "**LABELED**".

WATER RESOURCES DEVELOPMENT ACT OF 1998

CHAFEE AMENDMENT NO. 3798

Mr. JEFFORDS (for Mr. CHAFEE) proposed an amendment to the bill (S. 2131) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

On page 31, line 3, strike "**DEFINITIONS**" and insert "**DEFINITION**".

On page 34, lines 3 and 4, strike "The Secretary may complete" and insert "The project for completion of".

On page 34, line 8, strike "(16 U.S.C. 1005)" and insert "(16 U.S.C. 1005)".

On page 34, line 25, after "navigation" insert "at".

On page 37, line 8, strike "restoration" and insert "restoration".

On page 37, line 23, strike "California at a total cost of \$25,850,000" and insert "California, at a total cost of \$25,850,000".

On page 38, line 21, strike "Delaware" and insert "Delaware".

On page 39, line 12, strike "Delaware" and insert "Delaware".

On page 40, line 5, strike "Delaware" and insert "Delaware".

On page 40, line 15, strike "Florida" and insert "Florida".

On page 40, line 22, strike "Florida" and insert "Florida".

On page 41, line 3, strike "Florida" and insert "Florida".

On page 41, line 9, strike "Florida" and insert "Florida".

On page 41, line 14, strike "Deepening, Georgia" and insert "deepening, Georgia".

On page 41, line 25, strike "Dakota and East Grand Forks, Minnesota" and insert "Dakota, and East Grand Forks, Minnesota".

On page 42, lines 6 and 7, strike "Extension, Pascagoula Harbor, Pascagoula, Mississippi" and insert "extension, Pascagoula Harbor, Pascagoula, Mississippi".

On page 42, line 14, strike "Missouri and Kansas City, Kansas" and insert "Missouri, and Kansas City, Kansas".

On page 42, lines 21 and 22, strike "restoration" and insert "restoration".

On page 42, line 24, strike "New Jersey" and insert "New Jersey".

On page 43, line 14, strike "Protection," and insert "protection".

On page 43, line 16, strike "New Jersey" and insert "New Jersey".

On page 44, line 6, strike "Protection," and insert "protection".

On page 44, line 7, strike "New Jersey" and insert "New Jersey".

On page 44, line 20, strike "River" and insert "River".

On page 45, line 4, strike "(3709)" and insert "(3709)".

On page 45, line 6, strike "California" and insert "California".

On page 45, lines 13 and 14, strike "Public Law 104-303" and insert "the Water Resources Development Act of 1996".

On page 46, line 12, strike "sponsor" and insert "interests".

On page 46, line 22, strike "by Public Law" and insert "by the first section of Public Law".

On page 47, line 8, strike "California" and insert "California".

On page 47, lines 18 and 19, strike "(100 Stat. 4098)" and insert "(100 Stat. 4098)".

On page 48, lines 3 and 4, strike "(110 Stat. 3711)" and insert "(110 Stat. 3711)".

On page 49, line 16, strike "1944," and insert "1944 (58 Stat. 891)".

On page 50, lines 8 and 9, strike "relocated" and insert "relocated".

On page 50, line 10, strike "measures" and insert "measures".

On page 50, line 21, strike "agencies, and" and insert "agencies".

On page 50, line 23, strike "Such" and insert "The".

On page 52, line 6, strike "sponsor" and insert "interests".

On page 52, lines 13 and 14, strike "Connecticut" and insert "Connecticut".

On page 52, line 16, strike "anchorage" and insert "anchorage area".

On page 53, line 8, strike "point" and insert "point".

On page 54, strike line 11 and insert the following: authorized by the first section of the Act entitled "An

On page 54, strike line 14 and insert the following: ers and harbors, and for other purposes", approved

On page 54, line 21, strike "reports" and insert "reports".

On page 56, line 14, strike "which" and insert "that".

On page 57, line 2, strike "Florida" and insert "Florida".

On page 57, line 12, strike "sponsor" and insert "interests".

On page 57, line 18, strike "Florida" and insert "Florida".

On page 58, line 3, strike "sponsor" and insert "interests".

On page 58, line 9, strike "Florida" and insert "Florida".

On page 58, line 13, strike "Navigational" and insert "Navigation".

On page 58, line 23, strike "project" and insert "Project, Louisiana".

On page 59, line 11, strike "this" and insert "that".

On page 59, line 16, strike "project" and insert "Project".

On page 59, line 19, strike "Orleans, Parish," and insert "Orleans Parish, Louisiana,".

On page 60, line 9, strike "sponsor" and insert "interests".

On page 63, line 13, strike "reports" and insert "report".

On page 64, line 9, strike "the" and insert "a".

On page 64, line 24, strike "through the year 2020" and insert "through 2020".

On page 66, line 19, strike "(100 Stat. 4088; 110 Stat. 3677)" and insert "(33 U.S.C. 2215)".

On page 67, line 24, strike "as a" and insert "as".

On page 68, line 7, strike "the Environment" and insert "Environment".

On page 69, line 14, strike "(100 Stat. 4085)" and insert "(33 U.S.C. 2213(d))".

On page 70, line 22, strike "The third sentence of section" and insert "Section".

On page 70, line 23, strike "amended by" and insert "amended in the third sentence by".

On page 71, line 11, strike "(110 Stat. 3679)" and insert "(33 U.S.C. 2330(c))".

On page 71, line 18, strike "(1962d-5b(b)), for any project undertaken" and insert "1962d-5b), for any project carried out".

On page 71, line 20, strike "entity" and insert "entity".

On page 71, line 24, strike "(106 Stat. 4826; 110 Stat. 3680)" and insert "(33 U.S.C. 2326)".

On page 72, line 1, strike "ENTITIES" and insert "ENTITIES".

On page 72, lines 2 and 3, strike "(42 U.S.C. 1962d-5b(b))" and insert "(42 U.S.C. 1962d-5b)".

On page 72, lines 8 and 9, strike "Flood Control Act of 1936 (33 U.S.C. 701h)" and insert "Act of June 22, 1936 (33 U.S.C. 701h)".

On page 79, line 8, strike "SPONSOR" and insert "INTERESTS".

On page 79, line 10, strike "sponsor" and insert "interests".

On page 79, line 21, strike "**BENEFIT COST**" and insert "**BENEFIT-COST**".

On page 80, line 17, strike "amended—" and insert "amended by adding at the end the following:".

On page 80, strike line 18 through 20.

On page 80, line 21, strike "(1)" and insert "(19)".

On page 81, line 1, strike "(2)" and insert "(20)".

On page 81, strike lines 4 and 5 and insert the following:

"(21) SAN RAMON, CALIFORNIA.—San Ramon Valley recycled water project, San Ramon, California."

On page 81, strike lines 24 and 25 and insert the following:

(1) in paragraph (15), by striking "and" at the end;

On page 82, lines 1 and 2, strike "by striking the period at the end of paragraph (16)" and insert "in paragraph (16), by striking the period at the end".

On page 82, line 6, after "program" insert a semicolon.

On page 84, line 5, strike "(60 Stat. 653)" and insert "(33 U.S.C. 701r)".

On page 84, line 9, strike "1990 (100 Stat. 4251) and insert "1986 (33 U.S.C. 2309a)".

On page 84, line 11, strike "quality, flows" insert "quality, water flows,".

On page 84, line 19, strike "areas" and insert "areas,".

On page 85, line 6, strike "Arkansas" and insert "Arkansas,".

On page 85, line 11, strike "PREFERENCES.—" and insert "REFERENCES.—".

On page 87, strike line 2 and insert the following: the restoration project under subsection (a)—

(1) may provide all

On page 87, strike line 4 and insert the following: the form of in-kind services; and

(2) shall receive credit toward

On page 87, line 16, strike "(a) PROJECT PURPOSE.—".

Beginning on page 87, strike line 21 and all that follows through page 88, line 6, and insert the following:

"(4) PRACTICAL END-USE PRODUCTS.—Technologies selected for demonstration at the pilot scale shall result in practical end-use products.

"(5) ASSISTANCE BY THE SECRETARY.—The Secretary shall assist the project to ensure expeditious completion by providing sufficient quantities of contaminated dredged material to conduct the full-scale demonstrations to stated capacity."; and

On page 88, lines 12 and 13, strike "New York-New Jersey" and insert "New York/New Jersey".

On page 88, line 17, strike "following;" and insert "following:".

On page 89, line 6, strike "(aa)" and insert "(a)".

On page 90, lines 10 and 11, strike "on waterway systems" and insert "on the waterway system".

On page 96, line 19, strike "(110 Stat. 3684)" and insert "(33 U.S.C. 701b-13)".

On page 97, line 5, strike "(16 U.S.C. 3301 note)" and insert "(16 U.S.C. 3301 note; Public Law 104-303)".

On page 99, line 3, strike "transmit" and insert "submit".

On page 99, lines 14 and 15, strike "Engineers operated" and insert "Engineers-operated".

On page 99, line 17, strike the quotation marks each place they appear.

On page 99, line 25, strike "and Secretary" and insert "and the Secretary".

On page 114, line 13, strike "section 202;" and insert "section 202; and".

On page 116, line 1, strike "et seq.)" and insert "et seq.)".

On page 119, line 14, strike "et seq.)" and insert "et seq.)".

On page 125, lines 8 and 9, strike "any provision" and insert "any other provision".

On page 125, lines 11 and 12, strike "Flood Control Act of 1944 (33 U.S.C. 701-1 et seq.)" and insert "Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701-1 et seq.)".

CHAFEE (AND OTHERS) AMENDMENT NO. 3799

Mr. JEFFORDS (for Mr. CHAFEE for himself, Mr. BAUCUS, and Mr. WARNER) proposed an amendment to the bill, S. 2131, *supra*; as follows:

On page 31, between lines 12 and 13, insert the following:

(1) RIO SALADO (SALT RIVER), ARIZONA.—The project for environmental restoration, Rio

Salado (Salt River), Arizona: Report of the Chief of Engineers, dated August 20, 1998, at a total cost of \$85,900,000, with an estimated Federal cost of \$54,980,000 and an estimated non-Federal cost of \$30,920,000.

On page 31, line 13, strike "(1)" and insert "(2)".

On page 32, line 3, strike "of this subsection".

On page 32, line 6, strike "in" and insert "by".

On page 32, line 21, strike "such" and insert "the".

On page 33, line 2, strike "Implementation" and insert the following:

(I) IN GENERAL.—Implementation

On page 33, line 16, strike "subparagraph (B)(ii)" and insert "clause (ii)".

On page 33, line 17, strike "The review" and insert the following:

(II) PRINCIPLES AND GUIDELINES.—The review

On page 34, line 3, strike "(2)" and insert "(3)".

On page 34, lines 4 and 5, strike "National Resources Conservation Services" and insert "Natural Resources Conservation Service".

On page 34, between lines 13 and 14, insert the following:

(4) UPPER GUADALUPE RIVER, CALIFORNIA.—

The Secretary may construct the locally preferred plan for flood damage reduction and recreation, Upper Guadalupe River, California, described as the Bypass Channel Plan of the Chief of Engineers dated August 18, 1998, at a total cost of \$132,836,000, with an estimated Federal cost of \$42,869,000 and an estimated non-Federal cost of \$89,967,000.

(5) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—

(A) IN GENERAL.—The shore protection project for hurricane and storm damage reduction, Delaware Bay Coastline: Delaware and New Jersey-Broadkill Beach, Delaware, Report of the Chief of Engineers dated August 17, 1998, at a total cost of \$8,871,000, with an estimated Federal cost of \$5,593,000 and an estimated non-Federal cost of \$3,278,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of \$651,000, with an estimated annual Federal cost of \$410,000 and an estimated annual non-Federal cost of \$241,000.

On page 34, line 14, strike "(3)" and insert "(6)".

On page 34, between lines 22 and 23, insert the following:

(7) INDIAN RIVER COUNTY, FLORIDA.—Notwithstanding section 1001(a) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(a)), the project for shoreline protection, Indian River County, Florida, authorized by section 501(a) of that Act (100 Stat. 4134), shall remain authorized for construction through December 31, 2002.

(8) LIDO KEY BEACH, SARASOTA, FLORIDA.—

(A) IN GENERAL.—The project for shore protection at Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819) and deauthorized by operation of section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), is authorized to be carried out by the Secretary at a total cost of \$5,200,000, with an estimated Federal cost of \$3,380,000 and an estimated non-Federal cost of \$1,820,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of \$602,000, with an estimated annual Federal cost of \$391,000 and an estimated annual non-Federal cost of \$211,000.

(9) AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.—The project for flood damage reduction and

recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed: Report of the Chief of Engineers, dated December 23, 1996, at a total cost of \$110,045,000, with an estimated Federal cost of \$71,343,000 and an estimated non-Federal cost of \$38,702,000.

On page 34, line 23, strike "(4)" and insert "(10)".

On page 35, line 4, strike "\$19,126,000" and insert "\$18,510,000".

On page 35, line 5, strike "\$8,566,000" and insert "\$9,182,000".

On page 35, line 6, strike "(5)" and insert "(11)".

On page 35, line 13, strike "(6)" and insert "(12)".

On page 35, lines 21 and 22, strike "is authorized to be carried out by the Secretary".

On page 36, between lines 13 and 14, insert the following:

(1) NOME HARBOR IMPROVEMENTS, ALASKA.—The project for navigation, Nome Harbor Improvements, Alaska, at a total cost of \$24,280,000, with an estimated first Federal cost of \$19,162,000 and an estimated first non-Federal cost of \$5,118,000.

(2) SAND POINT HARBOR, ALASKA.—The project for navigation, Sand Point Harbor, Alaska, at a total cost of \$11,463,000, with an estimated Federal cost of \$6,718,000 and an estimated first non-Federal cost of \$4,745,000.

(3) SEWARD HARBOR, ALASKA.—The project for navigation, Seward Harbor, Alaska, at a total cost of \$11,930,000, with an estimated first Federal cost of \$3,816,000 and an estimated first non-Federal cost of \$8,114,000.

On page 36, line 14, strike "(1)" and insert "(4)".

On page 36, line 17, strike "\$39,000,000" and insert "\$55,100,000".

On page 36, line 18, strike "\$29,000,000" and insert "\$41,300,000".

On page 36, line 19, strike "\$10,000,000" and insert "\$13,800,000".

On page 36, line 20, strike "(2)" and insert "(5)".

On page 36, line 23, strike "\$202,000,000" and insert "\$214,900,000".

On page 36, line 24, strike "\$120,000,000" and insert "\$128,600,000".

On page 36, line 25, strike "\$82,000,000" and insert "\$86,300,000".

On page 37, line 5, strike "\$43,000,000" and insert "\$38,200,000".

On page 37, line 6, strike "(3)" and insert "(6)".

On page 37, line 10, strike "\$64,770,000," and insert "\$65,410,000,".

On page 37, line 11, strike "\$38,840,000" and insert "\$39,104,000".

On page 37, line 12, strike "\$25,930,000" and insert "\$26,306,000".

On page 37, strike lines 13 through 20.

On page 37, line 21, strike "(5)" and insert "(7)".

On page 38, strike lines 1 through 15.

On page 38, line 16, strike "(7)" and insert "(8)".

On page 39, line 5, strike "(8)" and insert "(9)".

On page 39, line 15, strike "\$2,647,000" and insert "\$757,000".

On page 39, line 21, strike "\$47,600" and insert "\$48,000".

On page 39, line 22, strike "(9)" and insert "(10)".

On page 40, line 7, strike "\$7,773,000" and insert "\$7,733,000".

On page 40, line 14, strike "(10)" and insert "(11)".

On page 40, line 19, strike "(11)" and insert "(12)".

On page 41, line 1, strike "(12)" and insert "(13)".

On page 41, line 7, strike "(13)" and insert "(14)".

On page 41, line 12, strike "(14)" and insert "(15)".

On page 41, strike lines 17 through 21 and insert the following:

(16) SAVANNAH HARBOR EXPANSION, GEORGIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may carry out the project for navigation, Savannah Harbor expansion, Georgia, substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers, with such modifications as the Secretary deems appropriate, at a total cost of \$223,887,000 (of which amount a portion is authorized for implementation of the mitigation plan), with an estimated Federal cost of \$141,482,000 and an estimated non-Federal cost of \$82,405,000, if the final report of the Chief of Engineers is completed by December 31, 1998.

(B) CONDITIONS.—The project authorized by subparagraph (A) may be carried out only after—

(i) the Secretary, in consultation with affected Federal, State, regional, and local entities, has reviewed and approved an Environmental Impact Statement that includes—

(I) an analysis of the impacts of project depth alternatives ranging from 42 feet through 48 feet; and

(II) a selected plan for navigation and associated mitigation plan as required by section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283); and

(ii) the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, with the Secretary, have approved the selected plan and have determined that the mitigation plan adequately addresses the potential environmental impacts of the project.

(C) MITIGATION REQUIREMENTS.—The mitigation plan shall be implemented in advance of or concurrently with construction of the project.

On page 41, line 22, strike “(16)” and insert “(17)”.

On page 42, line 1, strike “\$281,754,000” and insert “\$307,750,000”.

On page 42, line 2, strike “\$140,877,000” and insert “\$154,360,000”.

On page 42, line 3, strike “\$140,877,000” and insert “\$153,390,000”.

On page 42, line 4, strike “(17)” and insert “(18)”.

On page 42, line 9, strike “\$4,300,000” and insert “\$3,705,000”.

On page 42, line 10, strike “\$1,400,000” and insert “\$1,995,000”.

On page 42, line 11, strike “(18)” and insert “(19)”.

On page 42, line 15, strike “\$38,594,000” and insert “\$43,288,000”.

On page 42, line 16, strike “\$22,912,000” and insert “\$25,840,000”.

On page 42, line 17, strike “\$15,682,000” and insert “\$17,448,000”.

On page 42, line 18, strike “(19)” and insert “(20)”.

On page 43, line 9, strike “(20)” and insert “(21)”.

On page 43, line 22, strike “\$2,600,000” and insert “\$454,000”.

On page 43, line 23, strike “\$1,700,000” and insert “\$295,000”.

On page 43, line 24, strike “\$900,000” and insert “\$159,000”.

On page 44, line 1, strike “(21)” and insert “(22)”.

On page 44, line 7, strike “\$55,203,000” and insert “\$55,204,000”.

On page 44, line 8, strike “\$35,882,000” and insert “\$35,883,000”.

On page 44, between lines 16 and 17, insert the following:

(23) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—

(A) IN GENERAL.—Subject to subparagraph (B), the project for navigation, Memphis Har-

bor, Memphis, Tennessee, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4145) and deauthorized under section 1001(a) of that Act (33 U.S.C. 579a(a)) is authorized to be carried out by the Secretary.

(B) CONDITION.—No construction may be initiated unless the Secretary determines through a general reevaluation report using current data, that the project is technically sound, environmentally acceptable, and economically justified.

(24) METRO CENTER LEVEE, CUMBERLAND RIVER, NASHVILLE, TENNESSEE.—The project for flood damage reduction and recreation, Metro Center Levee, Cumberland River, Nashville, Tennessee, at a total cost of \$5,931,000, with an estimated Federal cost of \$3,753,000 and an estimated non-Federal cost of \$2,178,000.

(25) HOWARD HANSON DAM, WASHINGTON.—The project for water supply and ecosystem restoration, Howard Hanson Dam, Washington, at a total cost of \$74,908,000, with an estimated Federal cost of \$36,284,000 and an estimated non-Federal cost of \$38,624,000.

On page 44, line 22, strike “of floods” and insert “of the floods”.

On page 44, line 23, after “Sacramento River,” insert “California.”

On page 46, line 10, strike “101(h)(13)” and insert “101(b)(13)”.

On page 47, line 11, strike “\$32,900,000” and insert “\$32,600,000”.

On page 47, line 12, strike “\$24,700,000” and insert “\$24,500,000”.

On page 47, line 13, strike “\$8,200,000” and insert “\$8,100,000”.

On page 47, between lines 13 and 14, insert the following:

(2) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—

(A) IN GENERAL.—The Thornton Reservoir project, an element of the project for flood control, Chicagoland Underflow Plan, Illinois, authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to include additional permanent flood control storage attributable to the Thorn Creek Reservoir project, Little Calumet River Watershed, Illinois, approved under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.).

(B) COST SHARING.—Costs for the Thornton Reservoir project shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(C) TRANSITIONAL STORAGE.—The Secretary of Agriculture may cooperate with non-Federal interests to provide, on a transitional basis, flood control storage for the Thorn Creek Reservoir project in the west lobe of the Thornton quarry.

(D) CREDITING.—The Secretary may credit against the non-Federal share of the Thornton Reservoir project all design and construction costs incurred by the non-Federal interests before the date of enactment of this Act.

(E) REEVALUATION REPORT.—The Secretary shall determine the credits authorized by subparagraph (D) that are integral to the Thornton Reservoir project and the current total project costs based on a limited reevaluation report.

(3) WELLS HARBOR, WELLS, MAINE.—

(A) IN GENERAL.—The project for navigation, Wells Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480), is modified to authorize the Secretary to realign the channel and anchorage areas based on a harbor design capacity of 150 craft.

(B) DEAUTHORIZATION OF CERTAIN PORTIONS.—The following portions of the project are not authorized after the date of enactment of this Act:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,992.00, E394,831.00, thence running south 83 degrees 58 minutes 14.8 seconds west 10.38 feet to a point N177,990.91, E394,820.68, thence running south 11 degrees 46 minutes 47.7 seconds west 991.76 feet to a point N177,020.04, E394,618.21, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,018.00, E394,628.00, thence running north 11 degrees 46 minutes 22.8 seconds east 994.93 feet to the point of origin.

(ii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N177,778.07, E394,336.96, thence running south 51 degrees 58 minutes 32.7 seconds west 15.49 feet to a point N177,768.53, E394,324.76, thence running south 11 degrees 46 minutes 26.5 seconds west 672.87 feet to a point N177,109.82, E394,187.46, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,107.78, E394,197.25, thence running north 11 degrees 46 minutes 25.4 seconds east 684.70 feet to the point of origin.

(iii) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,107.78, E394,197.25, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,109.82, E394,187.46, thence running south 11 degrees 46 minutes 15.7 seconds west 300.00 feet to a point N176,816.13, E394,126.26, thence running south 78 degrees 12 minutes 21.4 seconds east 9.98 feet to a point N176,814.09, E394,136.03, thence running north 11 degrees 46 minutes 29.1 seconds east 300.00 feet to the point of origin.

(iv) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,018.00, E394,628.00, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,020.04, E394,618.21, thence running south 11 degrees 46 minutes 44.0 seconds west 300.00 feet to a point N176,726.36, E394,556.97, thence running south 78 degrees 12 minutes 30.3 seconds east 10.03 feet to a point N176,724.31, E394,566.79, thence running north 11 degrees 46 minutes 22.4 seconds east 300.00 feet to the point of origin.

(C) REDESIGNATIONS.—The following portions of the project shall be redesignated as part of the 6-foot anchorage:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,990.91, E394,820.68, thence running south 83 degrees 58 minutes 40.8 seconds west 94.65 feet to a point N177,980.98, E394,726.55, thence running south 11 degrees 46 minutes 22.4 seconds west 962.83 feet to a point N177,038.40, E394,530.10, thence running south 78 degrees 13 minutes 45.7 seconds east 90.00 feet to a point N177,020.04, E394,618.21, thence running north 11 degrees 46 minutes 47.7 seconds east 991.76 feet to the point of origin.

(ii) The portion of the 10-foot inner harbor settling basin the boundaries of which begin at a point with coordinates N177,020.04, E394,618.21, thence running north 78 degrees 13 minutes 30.5 seconds west 160.00 feet to a point N177,052.69, E394,461.58, thence running south 11 degrees 46 minutes 45.4 seconds west 299.99 feet to a point N176,759.02, E394,400.34, thence running south 78 degrees 13 minutes 17.9 seconds east 160 feet to a point N176,726.36, E394,556.97, thence running north 11 degrees 46 minutes 44.0 seconds east 300.00 feet to the point of origin.

(iii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N178,102.26, E394,751.83, thence running south 51 degrees 59 minutes 42.1 seconds west 526.51 feet to a point N177,778.07, E394,336.96, thence running south 11 degrees 46 minutes 26.6 seconds west 511.83

feet to a point N177,277.01, E394,232.52, thence running south 78 degrees 13 minutes 17.9 seconds east 80.00 feet to a point N177,260.68, E394,310.84, thence running north 11 degrees 46 minutes 24.8 seconds east 482.54 feet to a point N177,733.07, E394,409.30, thence running north 51 degrees 59 minutes 41.0 seconds east 402.63 feet to a point N177,980.98, E394,726.55, thence running north 11 degrees 46 minutes 27.6 seconds east 123.89 feet to the point of origin.

(D) REALIGNMENT.—The 6-foot anchorage area described in subparagraph (C)(iii) shall be realigned to include the area located south of the inner harbor settling basin in existence on the date of enactment of this Act beginning at a point with coordinates N176,726.36, E394,556.97, thence running north 78 degrees 13 minutes 17.9 seconds west 160.00 feet to a point N176,759.02, E394,400.34, thence running south 11 degrees 47 minutes 03.8 seconds west 45 feet to a point N176,714.97, E394,391.15, thence running south 78 degrees 13 minutes 17.9 seconds 160.00 feet to a point N176,682.31, E394,547.78, thence running north 11 degrees 47 minutes 03.8 seconds east 45 feet to the point of origin.

(E) RELOCATION.—The Secretary may relocate the settling basin feature of the project to the outer harbor between the jetties.

On page 47, line 14, strike "(2)" and insert "(4)".

On page 47, strike lines 23 and 24 and insert the following:

(5) ARTHUR KILL, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Arthur Kill, New

On page 48, line 6, strike "\$260,899,000" and insert "\$269,672,000".

On page 48, line 7, strike "\$195,705,000" and insert "\$178,400,000".

On page 48, line 8, strike "\$65,194,000" and insert "\$91,272,000".

On page 48, between lines 8 and 9, insert the following:

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of \$37,936,000.

On page 49, between lines 4 and 5, insert the following:

(f) REDIVERSION PROJECT, COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA.—

(1) IN GENERAL.—The redirection project, Cooper River, Charleston Harbor, South Carolina, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731) and modified by title I of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 517), is modified to authorize the Secretary to pay the State of South Carolina not more than \$3,750,000, if the State enters into an agreement with the Secretary providing that the State shall perform all future operation of the St. Stephen, South Carolina, fish lift (including associated studies to assess the efficacy of the fish lift).

(2) CONTENTS.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Secretary to recover all or a portion of the payment if the State suspends or terminates operation of the fish lift or fails to perform the operation in a manner satisfactory to the Secretary.

(3) MAINTENANCE.—Maintenance of the fish lift shall remain a Federal responsibility.

On page 49, line 5, strike "(f)" and insert "(g)".

On page 49, line 15, strike "and other" and insert "and for other".

On page 49, line 24, strike "this authority" and insert "subparagraph (A)".

On page 49, line 25, strike "will" and insert "shall".

On page 51, between lines 3 and 4, insert the following:

(h) TRINITY RIVER AND TRIBUTARIES, TEXAS.—The project for flood control and navigation, Trinity River and tributaries, Texas, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091), is modified to add environmental restoration as a project purpose.

On page 51, line 4, strike "(g)" and insert "(i)".

On page 51, line 22, strike "(h)" and insert "(j)".

On page 52, line 5, strike "(i)" and insert "(k)".

On page 52, between lines 10 and 11, insert the following:

(I) MIAMI DADE AGRICULTURAL AND RURAL LAND RETENTION PLAN AND SOUTH BISCAYNE, FLORIDA.—Section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768) is amended by adding at the end the following:

"(D) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—The Secretary may afford credit to or reimburse the non-Federal sponsors (using funds authorized by subparagraph (C)) for the reasonable costs of any work that has been performed or will be performed in connection with a study or activity meeting the requirements of subparagraph (A) if—

"(i) the Secretary determines that—

"(I) the work performed by the non-Federal sponsors will substantially expedite completion of a critical restoration project; and

"(II) the work is necessary for a critical restoration project; and

"(ii) the credit or reimbursement is granted pursuant to a project-specific agreement that prescribes the terms and conditions of the credit or reimbursement."

(m) LAKE MICHIGAN, ILLINOIS.—

(1) IN GENERAL.—The project for storm damage reduction and shoreline protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to provide for reimbursement for additional project work undertaken by the non-Federal interest.

(2) CREDIT OR REIMBURSEMENT.—The Secretary shall credit or reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in designing, constructing, or reconstructing reach 2F (700 feet south of Fullerton Avenue and 500 feet north of Fullerton Avenue), reach 3M (Meigs Field), and segments 7 and 8 of reach 4 (43rd Street to 57th Street), if the non-Federal interest carries out the work in accordance with plans approved by the Secretary, at an estimated total cost of \$83,300,000.

(3) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in reconstructing the revetment structures protecting Solidarity Drive in Chicago, Illinois, before the signing of the project cooperation agreement, at an estimated total cost of \$7,600,000.

(n) MEASUREMENTS OF LAKE MICHIGAN DIVERSIONS, ILLINOIS.—Section 1142(b) of the Water Resources Development Act of 1996 (100 Stat. 4253) is amended by striking "\$250,000 per fiscal year for each fiscal year beginning after September 30, 1986" and inserting "a total of \$1,250,000 for each of fiscal years 1999 through 2003".

(o) PROJECT FOR NAVIGATION, DUBUQUE, IOWA.—The project for navigation at Dubuque, Iowa, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482), is modified to authorize the development of a wetland demonstration area of approximately 1.5 acres to be developed and operated by the Dubuque County Historical Society or a successor nonprofit organization.

(p) LOUISIANA STATE PENITENTIARY LEVEE.—The Secretary may credit against the non-Federal share work performed in the project area of the Louisiana State Penitentiary Levee, Mississippi River, Louisiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4117).

(q) JACKSON COUNTY, MISSISSIPPI.—The project for environmental infrastructure, Jackson County, Mississippi, authorized by section 219(c)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835) and modified by section 504 of the Water Resources Development Act of 1996 (110 Stat. 3757), is modified to direct the Secretary to provide a credit, not to exceed \$5,000,000, against the non-Federal share of the cost of the project for the costs incurred by the Jackson County Board of Supervisors since February 8, 1994, in constructing the project, if the Secretary determines that such costs are for work that the Secretary determines was compatible with and integral to the project.

(r) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in the parcels of land described in subparagraph (B) that are currently being managed by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by the Flood Control Act of 1966 and modified by the Water Resources Development Act of 1986.

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21-1-93-0910 and associated supplemental agreements or are designated in red in Exhibit A of Army License No. DACW21-3-85-1904, excluding all designated parcels in the license that are below elevation 346 feet mean sea level or that are less than 300 feet measured horizontally from the top of the power pool.

(B) MANAGEMENT OF EXCLUDED PARCELS.—Management of the excluded parcels shall continue in accordance with the terms of Army License No. DACW21-3-85-1904 until the Secretary and the State enter into an agreement under subparagraph (F).

(C) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) PERPETUAL STATUS.—

(A) IN GENERAL.—All land conveyed under this paragraph shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with such plan, title to the parcel shall revert to the United States.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

(A) IN GENERAL.—The Secretary may pay the State of South Carolina not more than \$4,850,000 subject to the Secretary and the

State entering into a binding agreement for the State to manage for fish and wildlife mitigation purposes in perpetuity the lands conveyed under this paragraph and excluded parcels designated in Exhibit A of Army License No. DACW21-3-85-1904.

(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.

(S) LAND CONVEYANCE, CLARKSTON, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the Port of Clarkston, Washington, all right, title, and interest of the United States in and to a portion of the land described in the Department of the Army lease No. DACW68-1-97-22, consisting of approximately 31 acres, the exact boundaries of which shall be determined by the Secretary and the Port of Clarkston.

(2) The Secretary may convey to the Port of Clarkston, Washington, at fair market value as determined by the Secretary, such additional land located in the vicinity of Clarkston, Washington, as the Secretary determines to be excess to the needs of the Columbia River Project and appropriate for conveyance.

(3) TERMS AND CONDITIONS.—The conveyances made under subsections (a) and (b) shall be subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States, including a requirement that the Port of Clarkston pay all administrative costs associated with the conveyances, including the cost of land surveys and appraisals and costs associated with compliance with applicable environmental laws and regulations.

(4) USE OF LAND.—The Port of Clarkston shall be required to pay the fair market value, as determined by the Secretary, of any land conveyed pursuant to subsection (a) that is not retained in public ownership or is used for other than public park or recreation purposes, except that the Secretary shall have a right of reverter to reclaim possession and title to any such land.

(T) WHITE RIVER, INDIANA.—The project for flood control, Indianapolis on West Fork of the White River, Indiana, authorized by section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes", approved June 22, 1936 (49 Stat. 1586, chapter 688), as modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), is modified to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Canal Development (Upper Canal feature) and the Beveridge Paper feature, at a total cost not to exceed \$25,000,000, of which \$12,500,000 is the estimated Federal cost and \$12,500,000 is the estimated non-Federal cost, except that no such alterations may be undertaken unless the Secretary determines that the alterations authorized by this subsection, in combination with the alterations undertaken under section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), are economically justified.

(U) FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.—The project for hurricane-flood protection, Fox Point, Providence, Rhode Island, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 306) is modified to direct the Secretary to undertake the necessary repairs to the barrier, as identified in the Condition Survey and Technical Assessment dated April 1998

with Supplement dated August 1998, at a total cost of \$3,000,000, with an estimated Federal cost of \$1,950,000 and an estimated non-Federal cost of \$1,050,000.

On page 54, between lines 4 and 5, insert the following:

(C) BOOTHBAY HARBOR, MAINE.—The project for navigation, Boothbay Harbor, Maine, authorized by the Act of July 25, 1912 (37 Stat. 201, chapter 253), is not authorized after the date of enactment of this Act.

On page 54, line 5, strike "(c)" and insert "(d)".

On page 55, between lines 21 and 22, insert the following:

(C) CADDO LEVEE, RED RIVER BELOW DENISON DAM, ARIZONA, LOUISIANA, OKLAHOMA, AND TEXAS.—The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control, Caddo Levee, Red River Below Denison Dam, Arizona, Louisiana, Oklahoma, and Texas, including incorporating the existing levee, along Twelve Mile Bayou from its juncture with the existing Red River Below Denison Dam Levee approximately 26 miles upstream to its terminus at high ground in the vicinity of Black Bayou, Louisiana.

(D) FIELDS LANDING CHANNEL, HUMBOLDT HARBOR, CALIFORNIA.—The Secretary—

(1) shall conduct a study for the project for navigation, Fields Landing Channel, Humboldt Harbor and Bay, California, to a depth of minus 35 feet (MLLW), and for that purpose may use any feasibility report prepared by the non-Federal sponsor under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) for which reimbursement of the Federal share of the study is authorized subject to the availability of appropriations; and

(2) may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), if the Secretary determines that the project is feasible.

On page 55, line 22, strike "(c)" and insert "(e)".

On page 55, line 25, strike "to determine" and insert "and".

On page 56, line 3, strike "(d)" and insert "(f)".

On page 56, line 8, strike "(e)" and insert "(g)".

On page 56, line 16, strike "(f)" and insert "(h)".

On page 56, line 20, strike "(g)" and insert "(i)".

On page 57, line 3, strike "(h)" and insert "(j)".

On page 57, line 13, strike "(i)" and insert "(k)".

On page 57, line 22, strike "(j)" and insert "(l)".

On page 58, line 4, strike "(k)" and insert "(m)".

On page 58, between lines 9 and 10, insert the following:

(N) SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.—The Secretary shall conduct a study to determine the feasibility of undertaking erosion control, bank stabilization, and flood control along the Saint Joseph River, Indiana, including the South Bend Dam and the banks of the East Bank and Island Park.

On page 58, line 10, strike "(l)" and insert "(o)".

On page 58, between lines 14 and 15, insert the following:

(P) CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of a storm damage reduction and ecosystem restoration project for Cameron Parish west of Calcasieu River, Louisiana.

(Q) BENEFICIAL USE OF DREDGED MATERIAL, COASTAL LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of using dredged material from maintenance

activities at Federal navigation projects in coastal Louisiana to benefit coastal areas in the State.

On page 58, line 15, strike "(m)" and insert "(r)".

On page 58, line 19, strike "(n)" and insert "(s)".

On page 59, line 1, strike "(o)" and insert "(t)".

On page 59, line 13, strike "(p)" and insert "(u)".

On page 59, line 21, strike "(q)" and insert "(v)".

On page 60, line 7, strike "(r)" and insert "(w)".

On page 60, between lines 10 and 11, insert the following:

(X) DETROIT RIVER, MICHIGAN, GREENWAY CORRIDOR STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a project for shoreline protection, frontal erosion, and associated purposes in the Detroit River shoreline area from the Belle Isle Bridge to the Ambassador Bridge in Detroit, Michigan.

(2) POTENTIAL MODIFICATIONS.—As a part of the study, the Secretary shall review potential project modifications to any existing Corps projects within the same area.

(Y) ST. CLAIR SHORES FLOOD CONTROL, MICHIGAN.—The Secretary shall conduct a study to determine the feasibility of constructing a flood control project at St. Clair Shores, Michigan.

On page 60, line 11, strike "(s)" and insert "(z)".

On page 60, line 22, strike "(t)" and insert "(aa)".

On page 61, line 7, strike "use" and insert "shall use".

On page 61, line 13, strike "(u)" and insert "(bb)".

SEC. bb. Irrigation Diversion Protection and Fisheries Enhancement Assistance.—The Secretary may provide technical planning and design assistance to non-Federal interests and may conduct other site-specific studies to formulate and evaluate fish screens, fish passages devices and other measures to decrease the incidence of juvenile and adult fish inadvertently entering into irrigation systems. Measures shall be developed in cooperation with Federal and State resource agencies and not impair the continued withdrawal of water for irrigation purposes. In providing such assistance priority shall be given based on the objectives of the Endangered Species Act, cost-effectiveness, and the potential for reducing fish mortality. Non-Federal interests shall agree by contract to contribute 50 percent of the cost of such assistance. Not more than one-half of such non-Federal contribution may be made by the provision of services, materials, supplies, or other in-kind services. No construction activities are authorized by this section. Not later than two years after the date of enactment of this section, the Secretary shall report to Congress on fish mortality caused by irrigation water intake devices, appropriate measures to reduce mortality, the extent to which such measures are currently being employed in the arid States, the construction costs associated with such measures, and the appropriate Federal role, if any, to encourage the use of such measures.

On page 61, lines 22 and 23, strike "Resource" and insert "Resources".

On page 61, line 24, strike "Montana, tribal" and insert "Montana and tribal".

On page 62, line 4, strike "(v)" and insert "(cc)".

On page 62, line 12, strike "(w)" and insert "(dd)".

On page 62, line 20, strike "(x)" and insert "(ee)".

On page 62, line 24, strike "(y)" and insert "(ff)".

On page 63, line 11, strike "REMEDIATION" and insert "RESTORATION".

On page 63, line 18, insert "the" before "Federal".

On page 63, strike lines 20 through 23 and insert the following:

(3) REPORT.—The Secretary may use funds from the ongoing navigation study for New York and New Jersey Harbor to complete a reconnaissance report for environmental restoration by December 31, 1999. The navigation study to deepen New York and New Jersey Harbor shall consider beneficial use of dredged material.

(gg) BANK STABILIZATION, MISSOURI RIVER, NORTH DAKOTA.—

(1) STUDY.—

(A) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of bank stabilization on the Missouri River between the Garrison Dam and Lake Oahe in North Dakota.

(B) ELEMENTS.—In conducting the study, the Secretary shall study—

(i) options for stabilizing the erosion sites on the banks of the Missouri River between the Garrison Dam and Lake Oahe identified in the report developed by the North Dakota State Water Commission, dated December 1997, including stabilization through non-traditional measures;

(ii) the cumulative impact of bank stabilization measures between the Garrison Dam and Lake Oahe on fish and wildlife habitat and the potential impact of additional stabilization measures, including the impact of nontraditional stabilization measures;

(iii) the current and future effects, including economic and fish and wildlife habitat effects, that bank erosion is having on creating the delta at the beginning of Lake Oahe; and

(iv) the impact of taking no additional measures to stabilize the banks of the Missouri River between the Garrison Dam and Lake Oahe.

(C) INTERESTED PARTIES.—In conducting the study, the Secretary shall, to the maximum extent practicable, seek the participation and views of interested Federal, State, and local agencies, landowners, conservation organizations, and other persons.

(D) REPORT.—

(i) IN GENERAL.—The Secretary shall report to Congress on the results of the study not later than 1 year after the date of enactment of this Act.

(ii) STATUS.—If the Secretary cannot complete the study and report to Congress by the day that is 1 year after the date of enactment of this Act, the Secretary shall, by that day, report to Congress on the status of the study and report, including an estimate of the date of completion.

(2) EFFECT ON EXISTING PROJECTS.—This subsection does not preclude the Secretary from establishing or carrying out a stabilization project that is authorized by law.

(hh) SANTEE DELTA WETLAND HABITAT, SOUTH CAROLINA.—Not later than 18 months after the date of enactment of this Act, the Secretary shall complete a comprehensive study of the ecosystem in the Santee Delta focus area of South Carolina to determine the feasibility of undertaking measures to enhance the wetland habitat in the area.

(ii) WACCAMAW RIVER, SOUTH CAROLINA.—The Secretary shall conduct a study to determine the feasibility of a flood control project for the Waccamaw River in Horry County, South Carolina.

On page 63, between lines 23 and 24, insert the following:

(jj) UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of

a comprehensive flood plain management and watershed restoration project for the Upper Susquehanna-Lackawanna Watershed, Pennsylvania.

(2) GEOGRAPHIC INFORMATION SYSTEM.—In conducting the study, the Secretary shall use a geographic information system.

(3) PLANS.—The study shall formulate plans for comprehensive flood plain management and environmental restoration.

(4) CREDITING.—Non-Federal interests may receive credit for in-kind services and materials that contribute to the study. The Secretary may credit non-Corps Federal assistance provided to the non-Federal interest toward the non-Federal share of study costs to the maximum extent authorized by law.

On page 63, line 24, strike "(z)" and insert "(kk)".

On page 64, between lines 6 and 7, insert the following:

(ll) SANTA CLARA RIVER, UTAH.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to alleviate damage caused by flooding, bank erosion, and sedimentation along the watershed of the Santa Clara River, Utah, above the Gunlock Reservoir.

(2) CONTENTS.—The study shall include an analysis of watershed conditions and water quality, as related to flooding and bank erosion, along the Santa Clara River in the vicinity of the town of Gunlock, Utah.

On page 64, line 7, strike "(aa)" and insert "(mm)".

On page 64, between lines 12 and 13, insert the following:

(nn) AGAT SMALL BOAT HARBOR, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking the repair and reconstruction of Agat Small Boat Harbor, Guam, including the repair of existing shore protection measures and construction or a revetment of the breakwater seawall.

(oo) APR A HARBOR SEAWALL, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to repair, upgrade, and extend the seawall protecting Apra Harbor, Guam, and to ensure continued access to the harbor via Route 11B.

(pp) APR A HARBOR FUEL PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to upgrade the piers and fuel transmission lines at the fuel piers in the Apra Harbor, Guam, and measures to provide for erosion control and protection against storm damage.

(qq) MAINTENANCE DREDGING OF HARBOR PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of Federal maintenance of areas adjacent to piers at harbors in Guam, including Apra Harbor, Agat Harbor, and Agana Marina.

On page 64, line 13, strike "(bb)" and insert "(rr)".

On page 65, line 2, strike "may be" and insert "are".

On page 65, lines 19 and 20, strike "undertake" and insert "carry out".

On page 66, line 4, strike "this authority" and insert "the program".

On page 66, line 16, strike "IN GENERAL.—" and insert "STUDIES.—".

On page 66, line 20, strike "PAYMENT PERCENTAGE.—" and insert "PROJECTS.—".

On page 67, line 1, strike "projects, and the" and insert "projects. The".

On page 67, line 9, strike "authority" and insert "section".

On page 68, line 18, strike "Saint Genevieve" and insert "LeMay".

On page 69, line 15, strike "construction" and insert "constructing".

On page 69, line 17, strike "construction" and insert "constructing".

On page 70, line 11, strike "projects" and insert "authority".

On page 74, strike lines 23 and 24.

On page 77, line 21, strike "under subsection (b)".

On page 77, line 22, strike "(c)" and insert "(b)".

On page 79, line 4, after "amended", insert "in the second sentence".

On page 80, line 2, strike "and".

On page 80, line 8, strike the final period and insert "; and".

On page 80, between lines 8 and 9, insert the following:

(4) in the first sentence of subsection (e) (as redesignated by paragraph (2)), by striking "(b)" and inserting "(d)".

On page 81, strike lines 8 through 10 and insert the following:

Section 503 of the Water Resources Development Act of 1996 (110 Stat. 3756) is amended—

(1) in subsection (d)—

(A) by striking paragraph (10) and inserting the following:

"(10) Regional Atlanta Watershed, Atlanta, Georgia, and Lake Lanier of Forsyth and Hall Counties, Georgia."; and

(B) by adding at the end the following:

On page 81, line 20, strike the quotation marks and the final period.

On page 81, between lines 20 and 21, insert the following:

"(22) Bronx River watershed, New York.

"(23) Catawba River watershed, North Carolina.";

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

"(e) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, with the consent of the affected local government, a non-Federal interest may include a nonprofit entity."

On page 81, line 22, after "Resources" insert "Development".

On page 82, between lines 6 and 7, insert the following:

"(18) Flints Pond, Hollis, New Hampshire, removal of excessive aquatic vegetation.

On page 82, line 7, strike "(18)" and insert "(19)".

On page 82, line 21, after "estimated" insert "Federal".

On page 82, lines 22 and 23, strike "**Repaupo Creek and Delaware River, Gloucester County, New Jersey.**" and insert "**small flood control projects.**".

On page 83, line 2, strike "(17) through (24)" and insert "(16) through (23)".

On page 83, line 3, strike "and".

On page 83, strike lines 9 and 10 and insert the following:

and the Delaware River, Gloucester County, New Jersey; and

(3) by adding at the end the following:

"(24) IRONDEQUOIT CREEK, NEW YORK.—Project for flood control, Irondequoit Creek watershed, New York.

On page 83, line 11, strike "(16)" and insert "(25)".

On page 83, line 22, strike "Fortesque" and insert "Fortescue".

On page 84, between lines 1 and 2, insert the following:

(a) ARCTIC OCEAN, BARROW, ALASKA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out storm damage reduction and coastal erosion measures at the town of Barrow, Alaska.

(b) SAGINAW RIVER, BAY CITY, MICHIGAN.—The Secretary may construct appropriate control structures in areas along the Saginaw River in the city of Bay City, Michigan,

under authority of section 14 of the Flood Control Act of 1946 (33 Stat. 701s).

On page 84, line 2, strike "The" and insert "(c) YELLOWSTONE RIVER, BILLINGS, MONTANA.—The".

On page 84, between lines 5 and 6, insert the following:

(d) MONONGAHELA RIVER, POINT MARION, PENNSYLVANIA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out streambank erosion control measures along the Monongahela River at the borough of Point Marion, Pennsylvania.

On page 84, line 16, strike "Army".

On page 85, lines 3 and 4, strike ", arkansas floodway ditch no. 5" and insert "floodway ditch"

On page 85, line 10, strike ", Arkansas Floodway Ditch No. 5" and insert "Floodway Ditch".

On page 85, line 15, strike ", Arkansas Floodway Ditch No. 5" and insert "Floodway Ditch".

Beginning on page 85, strike line 16 and all that follows through page 86, line 5.

Beginning on page 92, strike line 1 and all that follows through page 96, line 16, and insert the following:

SEC. 142. UPPER MISSISSIPPI RIVER MANAGEMENT.

Section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652) is amended—

(1) in subsection (e)—

(A) by striking "(e)" and all that follows through the end of paragraph (2) and inserting the following:

"(e) UNDERTAKINGS.—

"(1) IN GENERAL.—

"(A) AUTHORITY.—The Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, is authorized to undertake—

"(i) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and

"(ii) implementation of a program of long-term resource monitoring, computerized data inventory and analysis, and applied research.

"(B) REQUIREMENTS FOR PROJECTS.—Each project carried out under subparagraph (A)(i) shall—

"(i) to the maximum extent practicable, simulate natural river processes;

"(ii) include an outreach and education component; and

"(iii) on completion of the assessment under subparagraph (D), address identified habitat and natural resource needs.

"(C) ADVISORY COMMITTEE.—In carrying out subparagraph (A), the Secretary shall create an independent technical advisory committee to review projects, monitoring plans, and habitat and natural resource needs assessments.

"(D) HABITAT AND NATURAL RESOURCE NEEDS ASSESSMENT.—

"(i) AUTHORITY.—The Secretary is authorized to undertake a systemic, river reach, and pool scale assessment of habitat and natural resource needs to serve as a blueprint to guide habitat rehabilitation and long-term resource monitoring.

"(ii) DATA.—The habitat and natural resource needs assessment shall, to the maximum extent practicable, use data in existence at the time of the assessment.

"(iii) TIMING.—The Secretary shall complete a habitat and natural resource needs assessment not later than 3 years after the date of enactment of this subparagraph.

"(2) REPORTS.—On December 31, 2005, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Min-

nesota, Missouri, and Wisconsin, the Secretary shall prepare and submit to Congress a report that—

"(A) contains an evaluation of the programs described in paragraph (1);

"(B) describes the accomplishments of each program;

"(C) includes results of a habitat and natural resource needs assessment; and

"(D) identifies any needed adjustments in the authorization under paragraph (1) or the authorized appropriations under paragraphs (3), (4), and (5).";

(B) in paragraph (3)—

(i) by striking "paragraph (1)(A)" and inserting "paragraph (1)(A)(i)"; and

(ii) by striking "Secretary not to exceed" and all that follows and inserting "Secretary not to exceed \$22,750,000 for each of fiscal years 1999 through 2009.";

(C) in paragraph (4)—

(i) by striking "paragraph (1)(B)" and inserting "paragraph (1)(A)(ii)"; and

(ii) by striking "\$7,680,000" and all that follows and inserting "\$10,420,000 for each of fiscal years 1999 through 2009.";

(D) by striking paragraphs (5) and (6) and inserting the following:

"(5) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out paragraph (1)(C) not to exceed \$350,000 for each of fiscal years 1999 through 2009.

"(6) TRANSFER OF AMOUNTS.—

"(A) IN GENERAL.—For each fiscal year beginning after September 30, 1992, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may transfer appropriated amounts between the programs under clauses (i) and (ii) of paragraph (1)(A) and paragraph (1)(C).

"(B) APPORTIONMENT OF COSTS.—In carrying out paragraph (1)(D), the Secretary may apportion the costs equally between the programs authorized by paragraph (1)(A)."; and

(E) in paragraph (7)—

(i) in subparagraph (A)—

(I) by inserting "(i)" after "paragraph (1)(A)"; and

(II) by inserting before the period at the end the following: "and, in the case of any project requiring non-Federal cost sharing, the non-Federal share of the cost of the project shall be 35 percent"; and

(ii) in subparagraph (B), by striking "paragraphs (1)(B) and (1)(C) of this subsection" and inserting "paragraph (1)(A)(ii)";

(2) in subsection (f)(2)—

(A) in subparagraph (A), by striking "(A)"; and

(B) by striking subparagraph (B); and

(C) by adding at the end the following:

"(k) ST. LOUIS AREA URBAN WILDLIFE HABITAT.—The Secretary shall investigate and, if appropriate, carry out restoration of urban wildlife habitat, with a special emphasis on the establishment of greenways in the St. Louis, Missouri, area and surrounding communities."

On page 99, line 2, strike "Act" and insert "section".

On page 100, between lines 14 and 15, insert the following:

SEC. 145. NINE MILE RUN HABITAT RESTORATION, PENNSYLVANIA.

The Secretary may credit against the non-Federal share such costs as are incurred by the non-Federal interests in preparing environmental and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania, if the Secretary determines that the documentation is integral to the project.

SEC. 146. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426(i)) is amended—

(1) in the first sentence, by striking "The Secretary" and inserting "(a) IN GENERAL.—The Secretary";

(2) in the second sentence, by striking "The costs" and inserting the following:

"(b) COST SHARING.—The costs";

(3) in the third sentence—

(A) by striking "No such" and inserting the following:

"(c) REQUIREMENT FOR SPECIFIC AUTHORIZATION.—No such"; and

(B) by striking "\$2,000,000" and inserting "\$5,000,000"; and

(4) by adding at the end the following:

"(d) COORDINATION.—The Secretary shall—

"(1) coordinate the implementation of the measures under this section with other Federal and non-Federal shore protection projects in the same geographic area; and

"(2) to the extent practicable, combine mitigation projects with other shore protection projects in the same area into a comprehensive regional project."

SEC. 147. LARKSPUR FERRY CHANNEL, CALIFORNIA.

The Secretary shall work with the Secretary of Transportation on a proposed solution to carry out the project to maintain the Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148).

SEC. 148. COMPREHENSIVE FLOOD IMPACT-RESPONSE MODELING SYSTEM.

(a) IN GENERAL.—The Secretary may study and implement a Comprehensive Flood Impact-Response Modeling System for the Coralville Reservoir and the Iowa River watershed, Iowa.

(b) STUDY.—The study shall include—

(1) an evaluation of the combined hydrologic, geomorphic, environmental, economic, social, and recreational impacts of operating strategies within the watershed;

(2) creation of an integrated, dynamic flood impact model; and

(3) the development of a rapid response system to be used during flood and emergency situations.

(c) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall transmit a report to Congress on the results of the study and modeling system and such recommendations as the Secretary determines to be appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated a total of \$2,250,000 to carry out this section.

SEC. 149. STUDY REGARDING INNOVATIVE FINANCING FOR SMALL AND MEDIUM-SIZED PORTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study and analysis of various alternatives for innovative financing of future construction, operation, and maintenance of projects in small and medium-sized ports.

(b) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and Committee on Transportation and Infrastructure of the House of Representatives and the results of the study and any related legislative recommendations for consideration by Congress.

SEC. 150. CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.

(a) DEFINITIONS.—In this section:

(1) FAIR MARKET VALUE.—The term "fair market value" means the amount for which a willing buyer would purchase and a willing seller would sell a parcel of land, as determined by a qualified, independent land appraiser.

(2) PREVIOUS OWNER OF LAND.—The term "previous owner of land" means a person (including a corporation) that conveyed, or a

descendant of a deceased individual who conveyed, land to the Army Corps of Engineers for use in the Candy Lake project in Osage County, Oklahoma.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Army.

(b) **LAND CONVEYANCES.**—

(1) **IN GENERAL.**—The Secretary shall convey, in accordance with this section, all right, title, and interest of the United States in and to the land acquired by the United States for the Candy Lake project in Osage County, Oklahoma.

(2) **PREVIOUS OWNERS OF LAND.**—

(A) **IN GENERAL.**—The Secretary shall give a previous owner of land first option to purchase the land described in paragraph (1).

(B) **APPLICATION.**—

(i) **IN GENERAL.**—A previous owner of land that desires to purchase the land described in paragraph (1) that was owned by the previous owner of land, or by the individual from whom the previous owner of land is descended, shall file an application to purchase the land with the Secretary not later than 180 days after the official date of notice to the previous owner of land under subsection (c).

(ii) **FIRST TO FILE HAS FIRST OPTION.**—If more than 1 application is filed for a parcel of land described in paragraph (1), first options to purchase the parcel of land shall be allotted in the order in which applications for the parcel of land were filed.

(C) **IDENTIFICATION OF PREVIOUS OWNERS OF LAND.**—As soon as practicable after the date of enactment of this Act, the Secretary shall, to the extent practicable, identify each previous owner of land.

(D) **CONSIDERATION.**—Consideration for land conveyed under this subsection shall be the fair market value of the land.

(3) **DISPOSAL.**—Any land described in paragraph (1) for which an application has not been filed under paragraph (2)(B) within the applicable time period shall be disposed of in accordance with law.

(4) **EXTINGUISHMENT OF EASEMENTS.**—All flowage easements acquired by the United States for use in the Candy Lake project in Osage County, Oklahoma, are extinguished.

(c) **NOTICE.**—

(1) **IN GENERAL.**—The Secretary shall notify—

(A) each person identified as a previous owner of land under subsection (b)(2)(C), not later than 90 days after identification, by United States mail; and

(B) the general public, not later than 90 days after the date of enactment of this Act, by publication in the Federal Register.

(2) **CONTENTS OF NOTICE.**—Notice under this subsection shall include—

(A) a copy of this section;

(B) information sufficient to separately identify each parcel of land subject to this section; and

(C) specification of the fair market value of each parcel of land subject to this section.

(3) **OFFICIAL DATE OF NOTICE.**—The official date of notice under this subsection shall be the later of—

(A) the date on which actual notice is mailed; or

(B) the date of publication of the notice in the Federal Register.

SEC. 151. SALCHA RIVER AND PILEDRIVER SLOUGH, FAIRBANKS, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the lower Salcha River and on Piledriver Slough, from its headwaters at the mouth of the Salcha River to the Chena Lakes Flood Control Project, in the vicinity of Fairbanks, Alaska, to protect against surface water flooding.

SEC. 152. EYAK RIVER, CORDOVA, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the Eyak River at the town of Cordova, Alaska.

SEC. 153. NORTH PADRE ISLAND STORM DAMAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT.

The Secretary shall carry out a project for ecosystem restoration and storm damage reduction at North Padre Island, Corpus Christi Bay, Texas, at a total estimated cost of \$30,000,000, with an estimated Federal cost of \$19,500,000 and an estimated non-Federal cost of \$10,500,000, if the Secretary finds that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 154. KANOPOLIS LAKE, KANSAS.

(a) **WATER SUPPLY.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the State of Kansas or another non-Federal interest, shall complete a water supply reallocation study at the project for flood control, Kanopolis Lake, Kansas, as a basis on which the Secretary shall enter into negotiations with the State of Kansas or another non-Federal interest for the terms and conditions of a reallocation of the water supply.

(2) **OPTIONS.**—The negotiations for storage reallocation shall include the following options for evaluation by all parties:

(A) Financial terms of storage reallocation.

(B) Protection of future Federal water releases from Kanopolis Dam, consistent with State water law, to ensure that the benefits expected from releases are provided.

(C) Potential establishment of a water assurance district consistent with other such districts established by the State of Kansas.

(D) Protection of existing project purposes at Kanopolis Dam to include flood control, recreation, and fish and wildlife.

(b) **IN-KIND CREDIT.**—

(1) **IN GENERAL.**—The Secretary may negotiate a credit for a portion of the financial repayment to the Federal Government for work performed by the State of Kansas, or another non-Federal interest, on land adjacent or in close proximity to the project, if the work provides a benefit to the project.

(2) **WORK INCLUDED.**—The work for which credit may be granted may include watershed protection and enhancement, including wetland construction and ecosystem restoration.

SEC. 155. NEW YORK CITY WATERSHED.

Section 552(d) of the Water Resources Development Act of 1996 (110 Stat. 3780) is amended by striking “for the project to be carried out with such assistance” and inserting “, or a public entity designated by the State director, to carry out the project with such assistance, subject to the project’s meeting the certification requirement of subsection (c)(1)”.

SEC. 156. CITY OF CHARLEVOIX REIMBURSEMENT, MICHIGAN.

The Secretary shall review and, if consistent with authorized project purposes, reimburse the city of Charlevoix, Michigan, for the Federal share of costs associated with construction of the new revetment connection to the Federal navigation project at Charlevoix Harbor, Michigan.

SEC. 157. HAMILTON DAM FLOOD CONTROL PROJECT, MICHIGAN.

The Secretary may construct the Hamilton Dam flood control project, Michigan, under authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 158. NATIONAL CONTAMINATED SEDIMENT TASK FORCE.

(a) **DEFINITION OF TASK FORCE.**—In this section, the term “Task Force” means the Na-

tional Contaminated Sediment Task Force established by section 502 of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271 note; Public Law 102-580).

(b) **CONVENING.**—The Secretary and the Administrator shall convene the Task Force not later than 90 days after the date of enactment of this Act.

(c) **REPORTING ON REMEDIAL ACTION.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit to Congress a report on the status of remedial actions at aquatic sites in the areas described in paragraph (2).

(2) **AREAS.**—The report under paragraph (1) shall address remedial actions in—

(A) areas of probable concern identified in the survey of data regarding aquatic sediment quality required by section 503(a) of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271);

(B) areas of concern within the Great Lakes, as identified under section 118(f) of the Federal Water Pollution Control Act (33 U.S.C. 1268(f));

(C) estuaries of national significance identified under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(D) areas for which remedial action has been authorized under any of the Water Resources Development Acts; and

(E) as appropriate, any other areas where sediment contamination is identified by the Task Force.

(3) **ACTIVITIES.**—Remedial actions subject to reporting under this subsection include remedial actions under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or other Federal or State law containing environmental remediation authority;

(B) any of the Water Resources Development Acts;

(C) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); or

(D) section 10 of the Act of March 3, 1899 (30 Stat. 1151, chapter 425).

(4) **CONTENTS.**—The report under paragraph (1) shall provide, with respect to each remedial action described in the report, a description of—

(A) the authorities and sources of funding for conducting the remedial action;

(B) the nature and sources of the sediment contamination, including volume and concentration, where appropriate;

(C) the testing conducted to determine the nature and extent of sediment contamination and to determine whether the remedial action is necessary;

(D) the action levels or other factors used to determine that the remedial action is necessary;

(E) the nature of the remedial action planned or undertaken, including the levels of protection of public health and the environment to be achieved by the remedial action;

(F) the ultimate disposition of any material dredged as part of the remedial action;

(G) the status of projects and the obstacles or barriers to prompt conduct of the remedial action; and

(H) contacts and sources of further information concerning the remedial action.

SEC. 159. GREAT LAKES BASIN PROGRAM.

(a) **STRATEGIC PLANS.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall report to Congress on a plan for programs of the Army Corps of Engineers in the Great Lakes basin.

(2) **CONTENTS.**—The plan shall include details of the projected environmental and

navigational projects in the Great Lakes basin, including—

(A) navigational maintenance and operations for commercial and recreational vessels;

(B) environmental restoration activities;

(C) water level maintenance activities;

(D) technical and planning assistance to States and remedial action planning committees;

(E) sediment transport analysis, sediment management planning, and activities to support prevention of excess sediment loadings;

(F) flood damage reduction and shoreline erosion prevention;

(G) all other activities of the Army Corps of Engineers; and

(H) an analysis of factors limiting use of programs and authorities of the Army Corps of Engineers in existence on the date of enactment of this Act in the Great Lakes basin, including the need for new or modified authorities.

(b) GREAT LAKES BIOHYDROLOGICAL INFORMATION.—

(1) INVENTORY.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall request each Federal agency that may possess information relevant to the Great Lakes biohydrological system to provide an inventory of all such information in the possession of the agency.

(B) RELEVANT INFORMATION.—For the purpose of subparagraph (A), relevant information includes information on—

(i) ground and surface water hydrology;

(ii) natural and altered tributary dynamics;

(iii) biological aspects of the system influenced by and influencing water quantity and water movement;

(iv) meteorological projections and weather impacts on Great Lakes water levels; and

(v) other Great Lakes biohydrological system data relevant to sustainable water use management.

(2) REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the States, Indian tribes, and Federal agencies, and after requesting information from the provinces and the federal government of Canada, shall—

(i) compile the inventories of information;

(ii) analyze the information for consistency and gaps; and

(iii) submit to Congress, the International Joint Commission, and the Great Lakes States a report that includes recommendations on ways to improve the information base on the biohydrological dynamics of the Great Lakes ecosystem as a whole, so as to support environmentally sound decisions regarding diversions and consumptive uses of Great Lakes water.

(B) RECOMMENDATIONS.—The recommendations in the report under subparagraph (A) shall include recommendations relating to the resources and funds necessary for implementing improvement of the information base.

(C) CONSIDERATIONS.—In developing the report under subparagraph (A), the Secretary, in cooperation with the Secretary of State, the Secretary of Transportation, and other relevant agencies as appropriate, shall consider and report on the status of the issues described and recommendations made in—

(i) the Report of the International Joint Commission to the Governments of the United States and Canada under the 1977 reference issued in 1985; and

(ii) the 1993 Report of the International Joint Commission to the Governments of Canada and the United States on Methods of Alleviating Adverse Consequences of Fluc-

tuating Water Levels in the Great Lakes St. Lawrence Basin.

(c) GREAT LAKES RECREATIONAL BOATING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall, using information and studies in existence on the date of enactment of this Act to the maximum extent practicable, and in cooperation with the Great Lakes States, submit to Congress a report detailing the economic benefits of recreational boating in the Great Lakes basin, particularly at harbors benefiting from operation and maintenance projects of the Army Corps of Engineers.

(d) COOPERATION.—In undertaking activities under this section, the Secretary shall—

(1) encourage public participation; and

(2) cooperate, and, as appropriate, collaborate, with Great Lakes States, tribal governments, and Canadian federal, provincial, tribal governments.

(e) WATER USE ACTIVITIES AND POLICIES.—The Secretary may provide technical assistance to the Great Lakes States to develop interstate guidelines to improve the consistency and efficiency of State-level water use activities and policies in the Great Lakes basin.

(f) COST SHARING.—The Secretary may seek and accept funds from non-Federal entities to be used to pay up to 25 percent of the cost of carrying out subsections (b), (c), (d), and (e).

SEC. 160. PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT.

Section 1135(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(c)) is amended—

(1) by striking “If the Secretary” and inserting the following:

“(1) IN GENERAL.—If the Secretary”; and

(2) by adding at the end the following:

“(2) CONTROL OF SEA LAMPREY.—Congress finds that—

“(A) the Great Lakes navigation system has been instrumental in the spread of sea lamprey and the associated impacts to its fishery; and

“(B) the use of the authority under this subsection for control of sea lamprey at any Great Lakes basin location is appropriate.”.

SEC. 161. WATER QUALITY, ENVIRONMENTAL QUALITY, RECREATION, FISH AND WILDLIFE, FLOOD CONTROL, AND NAVIGATION.

(a) IN GENERAL.—The Secretary may investigate, study, evaluate, and report on—

(1) water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie watershed, including the watersheds of the Maumee River, Ottawa River, and Portage River in the States of Indiana, Ohio, and Michigan; and

(2) measures to improve water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie basin.

(b) COOPERATION.—In carrying out studies and investigations under subsection (a), the Secretary shall cooperate with Federal, State, and local agencies and nongovernmental organizations to ensure full consideration of all views and requirements of all interrelated programs that those agencies may develop independently or in coordination with the Army Corps of Engineers.

On page 101, lines 2 and 3, strike “, acting through the Assistant Secretary for Civil Works”.

On page 102, strike lines 10 through 14 and insert the following:

and submit the plan, with any comments, to the appropriate committees of the Senate and the House of Representatives.

On page 102, line 21, strike “(2)” and insert “(3)”.

On page 103, line 14, strike “(2)” and insert “(3)”.

On page 113, line 24, strike “States” and insert “sites”.

On page 115, line 8, strike “The Secretary” and insert the following:

(A) IN GENERAL.—The Secretary

On page 115, between lines 14 and 15, insert the following:

(B) PERMITS, RIGHTS-OF-WAY, AND EASEMENTS.—All permits, rights-of-way, and easements granted by the Secretary of the Army to the Oglala Sioux Tribe for land on the west side of the Missouri River between the Oahe Dam and Highway 14, and all permits, rights-of-way, and easements on any other land administered by the Secretary and used by the Oglala Sioux Rural Water Supply System, are granted to the Oglala Sioux Tribe in perpetuity to be held in trust under section 3(e) of the Mni Wiconi Project Act of 1988 (102 Stat. 2568).

On page 115, line 16, strike “and” and insert “outside the”.

On page 116, line 12, insert a comma after “Oahe”.

On page 116, lines 12 and 13, strike “Garvin’s” and insert “Gavin’s”.

On page 117, line 4, strike “and”.

On page 117, line 5, strike the period and insert “; and”.

On page 117, between lines 5 and 6, insert the following:

(4) is not the recreation area known as “Cottonwood”, “Training Dike”, or “Tailwaters”; and

(5) is located below Gavin’s Point Dam in the State of South Dakota in accordance with boundary agreements and reciprocal fishing agreements between the State of South Dakota and the State of Nebraska in effect on the date of enactment of this Act, which agreements shall continue to be honored by the State of South Dakota as the agreements apply to any land or recreation areas transferred under this title to the State of South Dakota below Gavin’s Point Dam and on the waters of the Missouri River.

On page 117, lines 23 and 24, strike “South Dakota Game, Fish, and Parks”.

On page 118, lines 5 and 6, strike “respective Trust Fund described in section 204” and insert “Trust Fund described in section 203”.

On page 118, line 23, strike “Nothing” and insert the following:

(1) IN GENERAL.—Nothing

On page 118, lines 24 and 25, strike “hunting and fishing on the waters of the Missouri River” and insert “the land and water below the exclusive flood pool of the Missouri River within the State of South Dakota, including affected Indian reservations”.

On page 119, line 2, after “continue” insert “in perpetuity”.

On page 119, between lines 3 and 4, insert the following:

(2) NO EFFECT ON RESPECTIVE JURISDICTIONS.—The Secretary may not adopt any regulation or otherwise affect the respective jurisdictions of the State of South Dakota, the Lower Brule River Sioux Tribe, or the Cheyenne River Sioux Tribe described in paragraph (1).

(h) APPLICABILITY OF LAW.—Notwithstanding any other provision of this Act, the following provisions of law shall apply to land transferred under this section:

(1) The National Historic Preservation Act (16 U.S.C. 470 et seq.), including sections 106 and 304 of that Act (16 U.S.C. 470f, 470w–3).

(2) The Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), including sections 4, 6, 7, and 9 of that Act (16 U.S.C. 470cc, 470ee, 470ff, 470hh).

(3) The Native American Graves Protection Act and Repatriation Act (25 U.S.C. 3001 et seq.), including subsections (a) and (d) of section 3 of that Act (25 U.S.C. 3003).

On page 119, line 18, strike “Tribes” and insert “Secretary of the Interior”.

On page 120, line 9, after "of", insert "the reservation of".

On page 121, line 21, strike "respective" and insert "State and tribal".

On page 122, line 10, strike "JURISDICTION.—" and insert "HUNTING AND FISHING.—".

On page 122, lines 14 through 16, strike "Jurisdiction over the land and waters shall continue in accordance with the Flood Control Act of 1944 (33 U.S.C. 701-1 et seq.)." and insert "The State of South Dakota, the Lower Brule Sioux Tribe, and the Cheyenne River Sioux Tribe shall continue to exercise, in perpetuity, the jurisdiction they possess on the date of enactment of this Act with regard to those lands and waters. The Secretary may not adopt any regulation or otherwise affect the respective jurisdictions of the State of South Dakota, the Lower Brule River Sioux Tribe, or the Cheyenne River Sioux Tribe described in the preceding sentence."

On page 122, line 18, after "as" insert "that over".

On page 123, line 14, strike "valid, existing".

On page 125, line 5, strike "Act shall relieve" and insert "title relieves".

On page 125, strike line 13 and insert the following:

SEC. 208. STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army shall arrange for the United States Geological Survey, in consultation with the Bureau of Indian Affairs and other appropriate Federal agencies, to conduct a comprehensive study of the potential impacts of the transfer of land under sections 205(b) and 206(b), including potential impacts on South Dakota Sioux Tribes having water claims within the Missouri River Basin, on water flows in the Missouri River.

(b) NO TRANSFER PENDING DETERMINATION.—No transfer of land under section 205(b) or 206(b) shall occur until the Secretary determines, based on the study, that the transfer of land under either section will not significantly reduce the amount of water flow to the downstream States of the Missouri River.

SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, October 8, 1998, at 3:30 p.m. in open session, to review the recommendation to elevate the position of the Director, Office of Non-Proliferation and National Security of the Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, October 8, 1998, at 9:30 a.m. on the nominations of Ashish Sen to be Director of the Bureau of Transportation Statistics, Department of Transportation and Albert S. Jacquez to be Administrator of the Saint Lawrence Seaway Development Corporation in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 8, 1998, at 10:00 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting during the session of the Senate on Thursday, October 8, 1998, at 10:00 a.m. in room SD-226 of the Senate Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, October 8, 1998, at 2:30 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON DRINKING WATER, FISHERIES, AND WILDLIFE

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on Drinking Water, Fisheries, and Wildlife be granted permission to conduct an oversight hearing on scientific and engineering issues relating to Columbia/Snake River system salmon recovery Thursday, October 8, 1998, 9:30 a.m., Hearing Room (SD-406).

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Terrorism, and Government Information, of the Senate Judiciary Committee be authorized to hold a hearing during the session of the Senate on Thursday, October 8, 1998, at 8:00 a.m. in room 215, Senate Dirksen Office Building, on: "National Security Considerations in Asylum Applications: A Case Study of 6 Iraqis."

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CAMPAIGN FINANCE REFORM

• Mr. ALLARD. Mr. President, now that it seems the debate on campaign finance is over for this session, I wanted to make a few comments concerning the current approach to reform and what I believe would be the best approach. I agree that something needs to be done in fixing the system, but the problem is that the approaches debated this year raise constitutional issues.

I have supported Congressional reform since entering Congress in 1990, especially term limits. If we want to end the so-called money chase, then let's end the life terms in Congress. Many outside groups who favor campaign finance reform are against term limits for they believe it to be undemocratic. I find quieting peoples voices and stopping them from participating in the electoral process to be even more undemocratic, and probably unconstitutional.

We have heard that people have become disenchanted with the process. I believe this disenchantment has less to do with the fact that campaigns have become expensive, than they are tired of campaign laws being broken. Let's enforce the laws on the books before we pass more laws and make it even more difficult for citizens to participate. Let's not penalize law abiding citizens because some elected officials will not follow current laws.

Regarding expensive campaigns, let's take a look at some numbers. When I first came to Congress in 1990, there were 1,759 federal election candidates in the U.S., who raised 471.7 million dollars and spent 446.3 million dollars. This roughly averages to 268,168 dollars raised and 253,753 dollars spent by each federal candidate in the U.S.

By comparison, in 1996 there were 2,605 federal election candidates which raised 790.5 million dollars and spent 765.3 million dollars. This means that each candidate raised 303,454 dollars and spent 293,781 dollars.

We can see that spending on campaigns has increased but so has the number of candidates. This influx of new candidates could make some incumbents nervous. But, I say that competition is a positive thing for the electoral system. So, when we hear that there are fewer people who want to run because of the cost of campaigns, we know that this is incorrect according to the Federal Election Commission.

Yes, fewer incumbents are running for reelection, but more people are trying to replace them in representing their states or districts.

With overall campaign spending going up, I can understand how some in this body and around the United States find that the cost of campaigns are just too high. However, during my 63 town meetings in 1998, this topic has come up only a few times. But, more and more people are complaining about taxes being too high.

Last year, as a percentage of GDP, federal tax revenue reached its highest level since World War II to 19.8% and rising to 19.9% this year. I am much more worried about the working man and woman who must work long hard hours to make ends meet only to find that nearly 40% of their hard earned money must be given to the local, state, and federal government. I think we should give the American people a tax cut.

My town meetings also indicated that Coloradans are concerned about